

SEP 14 2005

STEVENS & SHOWALTER, L.L.P.

*Attorneys at Law*RICHARD C. STEVENS
ROBERT L. SHOWALTER*
THOMAS E. LEES7019 CORPORATE WAY
DAYTON, OHIO 45459-4238PATENTS, TRADEMARKS,
COPYRIGHTS & RELATED MATTERS

OF COUNSEL

MICHAEL D. FOLKERTS
CHARLENE L. H. STUKENBORG
* ALSO ADMITTED IN KENTUCKYTELEPHONE (937) 438-6848
FACSIMILE (937) 438-2124
EMAIL: SSSLF@SPEAKEASY.NET

FACSIMILE TRANSMISSION

TO:	Name:	Mindy Vu, Art Unit 2878	
	Company:	US Patent and Trademark Office	
	Fax No.:	571-273-8300	Phone No.:
FROM:	Name:	Richard C. Stevens, Reg. No. 28,046	
	Date:	September 14, 2005	
	Our Ref.:	Serial No. 10/628,197; Docket No. ACC 048 PA	Trans. No.:
# Pages (incl. cover): 23			

REMARKS:

OFFICIAL

**AMENDMENT, PATENT APPLICATION FEE DETERMINATION
RECORD, and FEE TRANSMITTAL FOR FY 2005 (2 copies for charge to
deposit account)**RECEIVED
OIPE/IAP

SEP 15 2005

Please deliver to Examiner Vu.

Confidential ATTORNEY CLIENT PRIVILEGED FACSIMILE COMMUNICATION

The information contained in this facsimile message, and any and all accompanying documents, constitutes confidential information which is the property of Stevens & Showalter, L.L.P. If you are not the intended recipient of this information, any disclosure, copying, distribution, or taking of any action in reliance on this information, is strictly prohibited. If you have received this facsimile message in error, please notify us immediately to make arrangements for its return to us. Thank you.

RECEIVED
CENTRAL FAX CENTER

SEP 14 2005

COPY

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2005. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 400

Complete if Known

Application Number	10/628,197
Filing Date	07/28/2003
First Named Inventor	Steven Perry Sturm
Examiner Name	Mindy Vu
Art Unit	2878
Attorney Docket No.	ACC 048 PA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 502164 Deposit Account Name: Stevens & Showalter LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203a.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
-----	-----

Multiple dependent claims

360	180
-----	-----

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

20	- 20 or HP =	0	x = 0
----	--------------	---	-------

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

7	- 3 or HP =	2	x 200 = 400
---	-------------	---	-------------

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 =	/ 50 =	(round up to a whole number) x		
---------	--------	--------------------------------	--	--

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fee Paid (\$)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature	<u>Richard C. Stevens</u>	Registration No.	28,046	Telephone	937/438-8848
Name (Print/Type)	Richard C. Stevens	(Attorney/Agent)		Date	September 14, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

SEP 14 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4518).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 400

Complete If Known

Application Number	10/628,197
Filing Date	07/28/2003
First Named Inventor	Steven Perry Sturm
Examiner Name	Mindy Vu
Art Unit	2678
Attorney Docket No.	ACC 048 PA

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 502164 Deposit Account Name: Stevens & Showalter LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
20	- 20 or HP = 0	x Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
7	- 3 or HP = 2	x Fee Paid (\$)
HP = highest number of independent claims paid for, if greater than 3.		
= 200 = 400		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature	<i>Richard C. Stevens</i>	Registration No. (Attorney/Agent)	28,048	Telephone	937/438-6848
Name (Print/Type)	Richard C. Stevens	Date	September 14, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

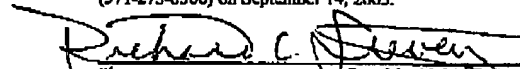
SEP 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicants : Steven Perry Sturm
Serial No. : 10/628,197
Filing Date : July 28, 2003
Title : SYSTEM AND METHOD OF COMPOSITION
CORRECTION FOR BETA GAUGES
Docket No. : ACC048PA
Examiner : Mindy Vu
Art Unit : 2878

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being facsimile
transmitted to the U.S. Patent and Trademark Office
(571-273-8300) on September 14, 2005.


Signature Reg. No. 28,046

Commissioner for Patents
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office action of June 14, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Amendments to the Drawings begin on page 11 of this paper and include two attached replacement sheets.

Remarks/Arguments begin on page 12 of the paper.

09/15/2005 HGUTEMAI 00000023 502164 10628197

01 FC:1201 400.00 DA